

1579-527
118

RULE 63 (37 C.F.R. 1.63)
INVENTORS DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

URATE OXIDASE

the specification of which (check applicable box(s)):

is attached hereto
 was filed on _____
 was filed as PCT International application No. _____
and (if applicable to U.S. or PCT application) was amended on _____

as U.S. Application Serial No.
PCT/US99/17678

on 5 August 1999

(Atty Dkt. No. 1579-527)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Country

Day/Month/Year Filed

Application Number

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Date/Month/Year Filed

6 August 1998

Application Number

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below:

Prior U.S./PCT Application(s):

Date/Month/Year Filed

Application Serial No.

5 August 1999

Status: patented
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8th Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; Robert A. Molan, 29834; B. J. Sadoff, 36663; James D. Berquist, 34776; Updeep S. Gill, 37334; Michael J. Shea, 34725; Donald L. Jackson, 41090; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rhoa, 37515; Raymond Y. Mah, 41426; Chris Comuntzis, 31097. I also authorize Nixon & Vanderhye to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1. Inventor's Signature:
Inventor:

Michael

(first)

MI

HERSHFIELD

Date:

1/30/01

US
(citizenship)

1-01
Residence: (city)
Mailing Address:
(Zip Code)

Durham

4019 Bristol Road, Durham, North Carolina

(last)
North Carolina

2. Inventor's Signature:
Inventor:

Susan

(first)

J.

KELLY

(last)

North Carolina

(state/country)

US

Date: January 30, 2001

US
(citizenship)

20
Residence: (city)
Mailing Address:
(Zip Code)

Chapel Hill

8104 Lair Court, Chapel Hill, North Carolina

(state/country)

NO

Applicant or Patentee: Michael HERZELD and Susan J. KELLY

Serial or Patent No.:

Filed or Issued:

For: URATE OXIDASE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 1.9(f) and 1.27 (c)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION DUKE UNIVERSITY

ADDRESS OF ORGANIZATION

230 North Building, Research Drive, Box 90083, Durham, NC 27708-0083

TYPE OF NONPROFIT ORGANIZATION

University or other institution of higher education

Tax exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
(Name of state _____)
(Citation of statute _____)

Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)

Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if located in the United States
(Name of state _____)
(Citation of statute _____)

Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The Untied States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (3) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

the specification filed herewith with title as listed above.

application identified above.

the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

no such person, concern, or organization exists.

each such person, concern or organization is listed below.*

Bio-Technology General (Israel) Ltd.

*Separate verified statement is requested from each person, concern or organization named immediately above having rights to the invention averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Robert L. Taber

TITLE IN ORGANIZATION

Vice Chancellor of Science & Technology

ADDRESS PERSON SIGNING

230 North Bldg. Research Drive, Durham, NC

SIGNATURE

DATE

1-30-2001

01/19/2001

08:45

NIXON VANDERHYE PC → 19196817559

NO. 671

005

OMB No. 0651-0011 (12/31/86)

Attorney's Dkt. No.

1579-527

Applicant or Patentee:

Michael HERSHFIELD and Susan J. KELLY

Serial or Patent No.:

Filed or Issued:

For:

URATE OXIDASE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS [37 19(f) and 1.27(c)] - SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:
 NAME OF CONCERN Bio-Technology General (Israel) Ltd. Corporation
 ADDRESS OF CONCERN 76326 Rehovet, ISRAEL 70 Wood Avenue South, Iselin, NJ 08830

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

URATE OXIDASE

by inventors

Michael HERSHFIELD and Susan J. KELLY

described in

the specification filed herewith.

application Serial No. _____, filed _____
 patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

Name _____
 Address _____

Individual Small Business Concern Nonprofit Organization

Name _____
 Address _____

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

SIGNATURE

Robert M. Shaw

Sr. Vice President

70 Wood Avenue South, Iselin, NJ 08830

DATE

Jan 23, 2001